REMARKS

Claims 1-17 are pending in the application. Claims 6-9 and 15-17 are allowed. Claims 1, 2, 10 and 11 are rejected and claims 3-5 and 12-14 are objected to.

Allowable Subject Matter

Claims 6-9 and 15-17 have been allowed.

Further, Claims 3-5 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten to include the features of the rejected base claim. Claim 3 has been amended to include all the features of claim 1 therein. Therefore, allowance of claims 3-5 is respectfully requested.

Further, Claims 12-14 would be allowable if rewritten to overcome the rejections under 35 USC §112, second paragraph, and to include all the features of the rejected base claim. Claim 12 has been amended to include all the features of claim 10 therein. Therefore, allowance of claims 12-14 is respectfully requested.

Claim Rejections under 35 USC §103

Claims 1 and 2 are rejected under 35 USC §103(a) as being unpatentable over Fujimoto (U.S. Patent No. 5,912,710) in view of Velez et al. (U.S. Patent No. 6,678,006).

The present invention is an image data output device (1000) that includes a scaling circuit (1) scaling moving image data according to the resolution of a display unit. Further included is a

weighting factor multiplier circuit (2) multiplying OSD data by a weighting factor. Also included is a weighting factor multiplier circuit (3) multiplying the moving image data scaled by scaling circuit (1) by weighting factor (1 - fa). Still further included is a scaling circuit (4) scaling the OSD data multiplied by the weighting factor by weighting factor multiplier circuit (2), and a combining circuit (5) adding the moving image data supplied from weighting factor multiplier circuit (3) to the OSD data supplied from scaling circuit (4) to generate image data.

As recited in claims 1 and 10, the present invention takes first image data representing a moving image which is scaled and thereafter weighted by a first image data processing circuit. A second image data representing an image that includes characters and graphics is weighted and thereafter scaled by a second image data processing circuit. A first combining circuit then combines the first image data and the second image data.

Fujimoto describes a system for displaying graphics which includes an image display control apparatus (300) which has a first scalar (106), for changing pixel aspect ratio of the graphics data (100G). Further, a second scalar (107) is provided for changing a size of the motion picture data (100B) so that it fits in a video window of a given size on the monitor (200). As indicated in column 6, lines 28-39 of Fujimoto, an alpha-blending circuit (108) constructs pixels of picture elements by blending the motion picture data from the scalar (107) and the graphics data from the scalar (106). The construction ratio between the motion picture data and the graphics data is dependent on the value of alpha. The alpha value is a parameter for indicating a transmission degree of the graphics data in the respective pixels. The transmission ratio for the motion picture data in each pixels is

represented as (1-alpha). When alpha = 1, only the graphics data are displayed, and the motion picture data are not displayed. When alpha = 0 only the motion picture data are displayed, and the graphics data are not displayed.

Therefore, it appears that the alpha-blending circuit (108) acts to combine image data by weighting individual pixels.

The Examiner admits that Fujimoto does not describe weighting the second image data and then scaling the weighted image data. However, the Examiner asserts Velez et al. shows in the lower part of Figure 2 taking video data (57) and then passing it through DVD video scaling module (52) then combining the signal in blending module (56) and scaling the combined signal in scaling module (61) to fit in a display area of a computer monitor. The operation of the blending module (56) is described in column 4, lines 21-33 of Velez et al.

Again, it would appear that blending module (56) of Velez et al. combines image data by weigting individual pixels. Therefore, it appears that Velez et al. describes weighting image data and then scaling that data.

However, neither Fujimoto nor Velez et al. describe scaling moving image data and thereafter weighting the scaled moving image data and weighting image data having characters and graphics and thereafter scaling said weighted image data having characters and graphics. In other words, Funimoto and Velez et al. do not describe changing the order of scaling and weighting depending on the type of data being analyzed.

On pages 7 and 8 of the Office Action the Examiner responds to our arguments presented in the Amendment filed on December 21, 2004. The Examiner makes two assertions. First, the Examiner indicates that the phrase " first image data representing a moving image and second image data representing an image including characters and graphics" found in the preamble of claim 1 was not given any patentable weight. Second, the Examiner asserts that our statement that "changing the order of scaling and weighting depending on the type of data being analyzed" is not recited in the claims. Claims 1 and 10 have been amended to include both of these features in the body of the claims.

Therefore, independent claims 1 and 10 patentably distinguish over the prior art relied upon by reciting, as exemplified by claim 1,

> "An image data output device receiving first image data representing a moving image and second image data representing an image including characters and graphics to output an image signal corresponding to a composite image generated by combining said first and second image data, comprising: a first image data processing circuit scaling said first image data and thereafter weighting said scaled first image data; a second image data processing circuit weighting said second image data and thereafter scaling said weighted second image data; and a first combining circuit combining said first image data processed by said first image data processing circuit and said second image data processed by said second image data processing circuit, wherein first image data includes a moving image and second image data includes characters and graphics but no moving image, wherein scaling the first image data having the moving image and thereafter weighting the first image data having scaled moving image data and weighting the second image data having characters and graphics and thereafter scaling said second image data having weighted image data having characters and graphics, wherein changing the order of scaling and weighting depending on the type of data being analyzed." (Emphasis Added)

Therefore, withdrawal of the rejection of Claims 1 and 2 under 35 USC §103(a) as being unpatentable over Fujimoto (U.S. Patent No. 5,912,710) in view of Velez et al. (U.S. Patent No. 6,678,006) is respectfully requested.

Claims 10 and 11 are rejected under 35 USC §103(a) as being unpatentable over Fujimoto (U.S. Patent No. 5,912,710) further in view of Velez et al. (U.S. Patent No. 6,678,006) as applied to claims 1 and 2 above, and further in view of Mills (U.S. Patent No. 5,953,691).

Mills describes a processing system with graphics data prescaling. This processing system includes an alpha prescaler (112) arranged between a converter (102) and a mixer (106). The alpha prescaler (112) multiplies the YUV signal by the quantity 1-α. α may represent one of nine blending values. The mixer (106) further contains an interpolator (114) that performs a horizontal filtering operation on the prescaled YUV singal and the initial alpha blending value to generate an interpolated scaled YUV signal. A multiplier (118) scales the decoded video signal and the result is combined with the interpolated scaled YUV signal in the signal combiner.

As previously discussed, neither Fujimoto nor Velez et al. describe scaling moving image data and thereafter weighting the scaled moving image data and weighting image data having characters and graphics and thereafter scaling said weighted image data having characters and graphics. In other words, as previously discussed, Funimoto and Velez et al., do not describe changing the order of scaling and weighting depending on the type of data being analyzed. Therefore, Claims 1 and 10 have been amended to include this feature in the body of claim 10.

Therefore, withdrawal of the rejection of Claims 10 and 11 under 35 USC §103(a) as being unpatentable over Fujimoto (U.S. Patent No. 5,912,710) further in view of Velez et al. (U.S. Patent No. 6,678,006) as applied to claims 1 and 2 above, and further in view of Mills (U.S. Patent No. 5,953,691) is respectfully requested.

Conclusion

In view of the aforementioned amendments and accompanying remarks, the claims as amended herein, are believed to be patentable and in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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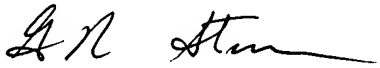

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